

IFW

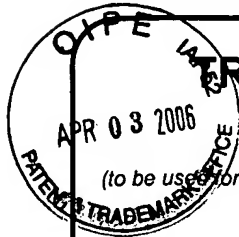
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number		10/734,294	
Filing Date		Dec. 15, 2003	
First Named Inventor		Seon Yong CHA	
Group Art Unit		2826	
Examiner Name		Thomas L. DICKEY	
Total Number of Pages in This Submission	18	Attorney Docket Number	40296-0048

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Reply to Official Communication (2 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Johnny A. Kumar, Reg. No. 34,649, Customer No. 26633
Signature	<i>Robert M. Hansen</i> #43656
Date	April 3, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 40296-0048

Applicant: Seon Yong CHA

Confirmation No.: 1788

Appl. No.: 10/734,294

Examiner: Thomas L. Dickey

Filing Date: December 15, 2003

Art Unit: 2826

Title: MAGNETORESISTIVE RANDOM ACCESS MEMORY, AND
MANUFACTURING METHOD THEREOF

REPLY TO OFFICIAL COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is filed in response to the Official Communication mailed March 10, 2006 regarding the above referenced application.

In the Official Communication, the Examiner noted that the information disclosure statement (IDS) filed February 2, 2006 failed to comply with 37 CFR 1.97(d) for not including the fee set forth in Section 1.17(p) and lacking a statement as specified in Section 1.97(e). The Official Communication concludes by stating that the IDS has been placed in the application file but not considered. Additionally, the Official Communication posed the following question: "Did Applicant supply the banner headline, 'RELEVANCE STATEMENT,' with the deliberate intent to mislead the examiner believing the requirements of 37 CFR 1.97(e) had either been met, or were somehow not applicable to Applicant's case?" This Reply is submitted in response this question.

REMARKS

Applicant did not intend to mislead the Examiner in anyway regarding the nature of the IDS. To the contrary, Applicant attempted to inform the Examiner that the IDS was being submitted under 37 CFR 1.97(i), not subsection (d). Specifically, on page 2 of the IDS, Applicant explained, under the banner headline "TIMING/FEES," that "[b]ased on 37 CFR 1.97(i), Applicants request that the references cited on the attached SB/08A form be placed in the file and Applicant acknowledges that the references cited will not be considered by the Examiner."

Applicant intended the statement under the heading "RELEVANCE STATEMENT" to be only a factual disclosure of potential relevance of the documents and an explanation of the source for the documents, including the reason that a Notice of Rejection from the German Patent Office was attached. This statement was considered necessary to provide a complete disclosure pursuant to Applicant's duty of candor to the Office.

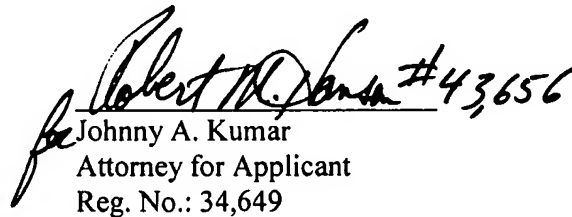
Applicant regrets any confusion caused by the wording, format or timing of the IDS. Applicant thanks the Examiner for his courtesy of calling the undersigned attorney for the Applicant on February 28, 2006 regarding the IDS, and for placing the IDS in the application file.

This Reply is submitted only to answer the Examiner's question for purposes of the record. Applicant requests that a copy of this Reply be included in the application file. No further action or consideration by the Office is requested or required.

Respectfully submitted,

Date: April 3, 2006

Heller Ehrman LLP
1717 Rhode Island Avenue, NW
Washington, D.C. 20036
Telephone: (202) 912-2000
Facsimile: (202) 912-2020

#43,656
Johnny A. Kumar
Attorney for Applicant
Reg. No.: 34,649

Customer No. 26633